

CERTIFICATE OF ELECTRONIC TRANSMISSION

I hereby certify that this correspondence for Application No. 10/754,010 is being electronically transmitted to Technology Center 2167 via EFS-WEB, on June 16, 2009.

/Scott A. Stinebruner /
Scott A. Stinebruner, Reg. No. 38,323

June 16, 2009
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Paul Reuben Day et al. Art Unit: 2167
Application No.: 10/754,010 Examiner: Kimberly M. Lovel
Filed: January 8, 2004
For: METHOD AND SYSTEM FOR A SELF-HEALING QUERY ACCESS PLAN

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM
THE PRIMARY EXAMINER TO THE BOARD OF APPEALS**

Applicant hereby appeals to the Board of Appeals from the decision of the Primary Examiner mailed March 17, 2009 finally rejecting claims 1, 3-8, and 10-12.

The item(s) checked below are appropriate:

1. Applicant hereby petitions for a ____ month extension of time.
 Check attached for the sum of \$_____.
 Please charge the sum of \$____ to Credit Card per the attached Electronic Fee Sheet.
 Please apply extension of time fee to Deposit Account No. 23-3000.

2. Appeal Fee: Other than a small entity Fee: \$_____
 Small Entity Status previously Fee: \$_____
 Requested and is still proper
 Small Entity Status Requested Fee: \$_____

3. Payment: Check attached for the sum of \$_____.
 Please charge the sum of \$____ to Credit Card per the attached Electronic Fee Sheet.
 Please charge the sum of \$____ to Deposit Account 23-3000.

4. Fee Deficiencies: If any other fees or extension of time is needed to complete this transaction or if a credit is due, please apply them to Deposit Account No. 23-3000.

Respectfully submitted,

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By: /Scott A. Stinebruner/
Scott A. Stinebruner
Reg. No. 38,323

Date: June 16, 2009